

REMARKS

Applicants have carefully reviewed the Office Action dated December 3, 2002. Applicants have amended Claims 1, 3, 6, 8, 10 and 13 and inserted new dependent Claims 15-18 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Regarding Claims 1-14, rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over U.S. Pat. No. 6,311,185, *Markowitz et al.* in view of U.S. Pat. No. 6,067,166, *Moshfeghi et al.*, this rejection is respectfully traversed with respect to the amended claims as follows.

Regarding Claims 1 and 8, the Examiner is correct that *Markowitz et al.* do “not explicitly teach obtaining video resolution settings of the user node by the server node over the network in response to the user accessing the server node and transmitting to the user node a web page corresponding to the video resolution setting.” However, this deficiency in *Markowitz et al.* is not cured by the *Moshfeghi et al.* reference.

In *Moshfeghi et al.*, “the web server *has to be supplied* with information about the user and the user’s environment.” See Col. 1, lines 50-51. This information is supplied when, “the first time a *user* accesses the web server he/she *will be asked to enter information*” (Col. 4, lines 11-13) including “user environment information *which is stored* in database or file system 26 *at the server*” (Col. 4, lines 26-28) and thereafter identified by the user’s IP address. The user environment information includes “the resolution of the display” attached to the user’s computer (Col. 4, lines 26-33). Thus, the *user* must initially *enter* the information requested by the server by filling out a form (Col. 1, lines 51-57). Then, on subsequent user access to the web server, the web server merely retrieves the information about the user’s environment from a database. This system has the disadvantage in that it does not ensure the use of *current* video resolution settings, which may be different, subject to a variety of circumstances, particularly as found in a hospital as is readily apparent in the disclosure of *Moshfeghi*. Thus, in *Moshfeghi*, the video resolution settings stored in the server database (see Col. 1, lines 55-57) may

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become stale and no longer reliable or accurate.

In contrast, Applicants' invention does not have this shortcoming because, as recited in the claims 1 and 8 as amended, the server obtains the *current* video resolution settings of the user node directly from the user node at the time of access. This step is performed, along with the others in the method of Claim 1, or by the apparatus of Claim 8 as amended, each time the method is performed.

Moreover, the foregoing amendment includes a recitation of the intended result of Applicants' method, and the function of Applicants' apparatus, to *maximize the viewable banner advertising content*. This result or function is not disclosed or taught in *Moshfeghi*, which merely personalizes the web page content to the user. Applicants' invention is centered on the benefit to the *server* side, i.e., maximizing viewable advertising banner content, controlled by the vendor or advertiser; *Moshfeghi's* system and method is centered on the *user* side, to adapt the web page content to the user system, by accommodating the user attributes, environmental and equipment parameters, etc. Thus, Applicants' invention is further distinguished over the combination of *Markowitz* and *Moshfeghi*.

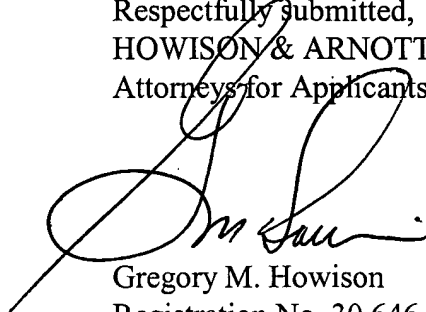
For the foregoing reasons, Applicants respectfully submit that independent Claims 1 and 8 as amended are neither anticipated or rendered obvious by either reference alone or by the combination of *Markowitz et al.* and *Moshfeghi et al.* and request the withdrawal of this rejection.

Regarding Claims 2-7 and 9-14, which depend directly from the respective base claims 1 and 8, shown hereinabove to be patentably distinct from the combination of *Markowitz et al.* and *Moshfeghi et al.*, these rejections are now moot. Applicants therefore respectfully request the full allowance of all the claims as amended.

Applicants have now made an earnest attempt in order to place this case in condition for allowance and in better form for appeal. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or

credit any overpayment to Deposit Account No. 20-0780/PHLY-24,768 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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